



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Washington, D.C. 20240

IN REPLY REFER TO:

APR 06 2010

Re: Property: **Zurbrugg Mansion, 531 Delaware Avenue, Delanco, NJ**
Project Number: **23385**

Dear _____:

My review of your appeal of the decision of Technical Preservation Services, National Park Service, denying certification of the rehabilitation of the property cited above is concluded. The appeal was initiated and conducted in accordance with Department of the Interior regulations (36 CFR Part 67) governing certifications for Federal income tax incentives for historic preservation as specified in the Internal Revenue Code. Thank you,

and _____, for meeting with me in Washington on January 20, 2010, and for providing a detailed account of the project.

After careful review of the complete record for this project, I have determined that the proposed rehabilitation of the Zurbrugg Mansion and its surrounding site is not consistent with the historic character of the property, and that the project does not meet Standards 2 and 9 of the Secretary of the Interior's Standards for Rehabilitation. Therefore, the denial issued on January 14, 2010, by Technical Preservation Services (hereby referred to as "TPS") is hereby affirmed. However, I have further determined that the project could be brought into conformance with the Standards, and thereby be certified, if the corrective measures described below are undertaken.

Prominently placed on the Delaware River in Delanco, New Jersey, the Zurbrugg Mansion was the last known residential commission of the architectural firm Furness, Evans and Company, before the death of principal Frank Furness in 1912. The two and a half-story, red brick, Classical Revival building was built for Theophilus Zurbrugg and his wife in 1910. The property occupies the entire block, bound to the east by Union Avenue, Second Street to the south, and Willow Street to the west. A red brick wall of varying height surrounds the property on these three sides. The north property boundary is Delaware Avenue, which parallels the Delaware River. The Zurbrugg Mansion was placed near the center of the lot with its primary façade facing the Delaware River. When Theophilus Zurbrugg purchased the property in 1908, two

houses were located on the site, the Woods Mansion, constructed c. 1870, was located in the northwest corner of the property; and the Carruthers-Johnson Mansion, likely constructed between 1856 and 1859, in the northeast corner. The Woods Mansion was moved to a location two blocks away prior to the completion of the Zurbugg Mansion. The Carruthers-Johnson Mansion remained in the northeast corner of the site until it was demolished in 1998.

The Zurbugg Mansion is constructed mostly of red brick, however, there is significant limestone detailing in the window jack arches, sills, and quoins. The Ionic columns supporting the front portico are constructed using white Italian granite. The main block of the house is square, with two one-story side porches; the western porch remains open, while the porch on the east side was enclosed. A c. 1960 three-story addition was made to the rear to expand it for its continued use as senior housing. The rear addition replicates many of the architectural details and elements found on the main house, including its red brick façade, limestone arches and quoins, and cornice design; however, the massing of the rear addition is clearly subordinate to the main house, being both narrower and shorter and with a flat roof.

In addition to the mansion house, a one and a half-story carriage house was constructed to the southeast corner of the lot. The carriage house is a rectangular red brick building, with a hipped roof that has a very large overhang supported by brackets above the carriage doors. Stylistically, the carriage house appears more representative of the work of Furness than the main house. A small wooden shed with a hipped roof is at the rear of the property. The shed has a single door on the north side and a 6/1 wood window on its west elevation. The lot is enclosed by a brick wall on three sides, along Union Avenue, Second Street, and Willow Street.

On May 8, 2009, the National Park Service issued a preliminary determination that the property would likely be individually listed on the National Register of Historic Places if nominated by the New Jersey Historic Preservation Office for its architectural significance and its association with its owner, Theophilus Zurbugg. The property was subsequently listed on the National Register of Historic Places on August 28, 2009, under Criterion C for its architectural significance.

On July 31, 2009, TPS issued a conditional approval for the Part 2 – Description of Rehabilitation. There were four identified conditions related to the proposed rehabilitation project: a lack of information regarding the proposed new construction on the site, the need for better developed drawings regarding proposed changes to the c. 1960 addition, a requirement that the new mechanical systems installed in the mansion be installed in a manner that was sensitive to the historic fabric and character of the building, and the condition that any archaeological resources be mitigated prior to construction.

TPS received an amendment to the Part 2 application on November 3, 2009, providing specifications for 12 items of the proposed rehabilitation including work done to the site, brick work, stonework, wood elements, entrance treatments, windows, roof changes, fire escape proposals, interior circulation changes, and the treatment of interior features and finishes. Additionally, the amendment detailed the proposal for new construction to the c. 1960 addition

and indicated that no work would be undertaken on the carriage house or shed at this time. On November 25, 2009, TPS determined that work proposed in the amendment was found to meet the Standards, except for the related new construction on the site, specifically for the cluster of houses proposed for the corners of Delaware Avenue and Willow Street; and the related new construction at the corner of Delaware Avenue and Union Avenue. Related new construction to the rear of the site would also have to be reduced in scale and size so as not to compete with the historic mansion.

TPS received an additional amendment on December 17, 2009, with additional information was provided regarding the work proposed for the site, carriage house, the impact of the new HVAC system, and new construction related to the c. 1960 addition.

Representatives of the Zurbrugg Partnership met with TPS staff on December 17, 2009, to discuss a revised proposal for the design of the proposed new construction. The National Park Service received digital copies of the original and revised designs on December 30, 2009.

On January 14, 2010, TPS determined that the proposed work detailed in the Part 2 – Description of Rehabilitation and its amendments did not meet the Standards. In its letter Technical Preservation Service identified the proposed new construction located on the corner of Delaware Avenue and Willow Street and the construction located at the corner of Delaware Avenue and Union Avenue as contravening Standards 2, 6, and 9 because the scale and massing of the proposed construction at these two corners would not be in keeping with the historic character of the site and the placement of the construction would visually compete with the centrally placed Zurbrugg Mansion. In addition to the amount of new construction, TPS determined that the design for the new construction also contravened Standard 9, due both to its massing and to the fact that its architectural features would compete with the classical elements of the Mansion. Lastly, TPS determined that the proposed work to the carriage house, which included removing the existing dormers and addinn new, larger, dormers to the roof, moving the historic carriage/auto doors 6'-7" forward, and enclosing the newly created space with glass walls, to contravene Standard 6.

In its denial of the proposed work to the Zurbrugg Mansion, TPS identified conditions that would enable the project to meet the Standards. Specifically, TPS stipulated that the work proposed at the corner of Delaware Avenue and Willow Street must be deleted; that the proposed construction at the corner of Delaware Avenue and Union Avenue had to be reduced in size; that the design of the new construction needed to be revised and simplified; and that the plans for the carriage house needed to be revised, retaining the carriage doors in their historic location and eliminating the proposed dormers and the glass enclosure.

After a thorough review of the proposed work I have determined that the historic character of the site and environment of the Zurbrugg Mansion was that of an imposing residence on a spacious lot comprising an entire block facing the Delaware River. Indeed, at the time of construction, the existing Woods Mansion at the corner of Delaware Avenue and Willow Street was moved off the site so that the view of the river would be unimpeded. The Zurbrugg Mansion itself was located

slightly off center on the block so that it would be centered in the open space along Delaware Avenue between the Carruthers-Johnson Mansion (which remained on the site at the corner of Delaware Avenue and Union Avenue) and Willow Street. The viewshed thus created has remained an open space for the last 100 years and is a primary component of the historic character of the property. It is not possible to preserve the integrity of this setting while surrounding the mansion with new construction. Specifically, I have further determined that new construction in the former location of the Woods Mansion and new construction larger than the footprint of the now-demolished Carruthers-Johnson Mansion would severely compromise the historic setting and viewshed and thus diminish the character of the Zurbrugg Mansion on its own site. I have also determined that new construction on the site must be deferential in scale, massing, and detailing, to the mansion in order to preserve its imposing character as the primary building on the site.

Consequently, I find that the proposed construction of two residences in the previous location of the Woods Mansion (identified on the submitted plans as 'Lot 1' and 'Lot 2'), and the proposed construction of one residence adjacent to the former location of the Carruthers-Johnson Mansion (identified on the submitted plans as 'Lot 7') will contravene Standard 2. Standard 2 states, "*The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*" However, I also find that new construction could be accommodated along Union Avenue from Delaware Avenue (Lots 8 and 9) to the Carriage House, along Willow Street from the river façade of the mansion to the corner at Second Street, and for a distance along Second Street from Willow Street (an area somewhat larger than Lots 3, 4, and 5).

In addition, I have determined that the proposed designs for the new residences are not compatible with the historic character of the mansion in that their scale, massing and detailing competes with and compromises the primacy of the Zurbrugg Mansion on its own site. In particular, the three residences proposed for the corner of Delaware Avenue and Union Street (Lots 7, 8, and 9) are as large as the mansion itself, and the numerous gables, hips, and projections on all of the residences are a dramatic contrast to the strong, simple geometry of the Zurbrugg Mansion's design. Consequently, I find that the proposed designs for the new residences contravene Standard 9, which states, "*New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*"

Finally, with regard to the carriage house, I have determined that enclosing the space under the deeply cantilevered roof that provides a sheltered area in front of the carriage doors will severely compromise the major character-defining feature of the building, thus contravening Standard 2, referenced above. Thus, I concur with TPS that the exterior of the carriage house must be preserved substantially intact. However, I disagree with TPS concerning the proposed new dormers. I believe that it is possible to add dormers in such a way that the new work will not significantly impair the overall historic character of the building.

While the project as proposed cannot be approved, I have further determined that the project can be brought into conformance with the Standards, and thereby achieve the requested certification, if corrective measures are undertaken. In general, the proposed new construction must preserve the historic character of the Zurbrugg Mansion in its environment. Specifically, the residences proposed to be constructed on Lots 1, 2 and 7 must be eliminated from the project. It may be possible to relocate some of the displaced residences by increasing the density on the Second Street side of the site, as described above. In addition, the scale, massing and architectural detailing of the new construction must be deferential to the scale, massing and architectural detailing of the mansion in order to preserve the primacy of the mansion in its historic setting. Finally, the exterior of the carriage house must be preserved substantially intact. These measures would allow the project to be certified as meeting the minimum requirements for certification established by law.

If you choose to proceed with the corrective measures described above, I recommend that you submit an amended Part 2 application with revised designs for the new buildings for review and approval prior to initiating construction. Please submit the amended Part 2 application to Technical Preservation Services, National Park Service, Attention: Dan Bruechert, with a copy to the New Jersey Historic Preservation Office. Upon receipt, I will review the revised application as soon as is practicable. Please note that this project will not become a "certified rehabilitation" eligible for the tax incentives until it is completed and so designated.

As Department of the Interior regulations state, my decision is the final administrative decision regarding rehabilitation certification. A copy of this decision will be provided to the Internal Revenue Service. Questions concerning specific tax consequences of this decision or interpretations of the Internal Revenue Code should be addressed to the appropriate office of the Internal Revenue Service.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Burns", with a stylized, flowing script.

John A. Burns, FAIA
Chief Appeals Officer
Cultural Resources

Enclosure

cc: SHPO-NJ
IRS